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Chairman: Mr. Priputen (Vice-Chairperson) ..... (Slovakia)

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In the absence of Mr. Belinga-Eboutou (Cameroon), Mr. Priputen (Slovakia), Vice-Chairperson, took the Chair.

The meeting was called to order at 10.20 a.m.

Agenda item 115: Elimination of racism and racial discrimination *(continued)*

(a) Elimination of racism and racial discrimination *(continued)* (A/C.3/58/L.33)

Draft resolution A/C.3/58/L.33: Incompatibility between democracy and racism

1. **Mr. Meyer** (Brazil), introducing draft resolution A/C.3/58/L.33 on behalf of its 11 co-sponsors, thanked the delegations which had contributed towards the preparation of the draft and said that the proposed text, whose subject was crucial to the preservation of democracy, was based on resolutions of the Commission on Human Rights approved by consensus at Geneva in the past four years. The object of the draft was, in particular, to increase awareness of the fact that electoral processes could be used to undermine democracy, as was the case with certain racist platforms proposed by political parties.

2. **The Chairman** announced that Ecuador had become a sponsor of the draft resolution.

Agenda item 112: Report of the United Nations High Commissioner for Refugees: Questions relating to refugees, returnees and displaced persons and humanitarian questions (A/58/12, A/58/12/Add.1 (Suppl.), A/58/21, A/58/299, A/58/353, A/58/410 and A/58/415-S/2003/952)

3. **Mr. Taranda** (Belarus) said that the question of refugees remained urgent. Poverty, economic imbalances between countries and regions, armed conflicts, political instability and ecological disasters were at the root of migration movements everywhere in the world.

4. His country was confronted with an increase in clandestine immigration, a complex phenomenon that threatened international peace and security and was linked to other problems such as trafficking in human beings, arms trafficking, drug addiction, prostitution, crime and the spread of diseases such as HIV/AIDS.

5. Each year, Belarus, as a country of transit, arrested thousands of clandestine immigrants trying to reach Western Europe and dismantled clandestine immigration networks. While adopting all necessary measures to combat that type of immigration, it lacked the financial means to carry them out to full effect. He therefore called upon the international community to continue collaborating with his country, providing it with financial and technical assistance, and exchanging relevant information. Belarus welcomed the measures proposed in the report of the High Commissioner (A/58/410), aimed at strengthening collaboration, in particular at the financial level, between countries of origin, host countries and countries of transit.

6. Over the past 10 years Belarus had received more than 15 000 immigrants from the former Soviet Republics, Eastern Europe, Asia and Africa. The Government, which regarded the social integration of refugees and the protection of their rights as a priority issue, was endeavouring to adapt its laws to the provisions of the 1951 Refugee Convention and the 1967 Protocol; it had adopted a number of laws to ensure that refugees, like the people of Belarus, had access to education and the health system and received medical, psychological and legal assistance. It had also set up a Migrations Department under the Ministry of Labour and Social Protection to deal with refugee questions. The Department collaborated, inter alia, with IOM, ILO and UNHCR, whose work had enabled Belarus to implement several projects relating to refugees.

7. His delegation was in favour of strengthening the capacity of UNHCR to carry out its mandate. In that connection, it welcomed the adoption of the "UNHCR 2004" process and of "Convention Plus", as well as the High Commissioner's decision to improve relations with the United Nations system, Governments and other partners with a view to finding durable solutions to refugee and migration problems.

8. **Mr. Meyer** (Brazil), paying tribute to Sergio Vieira de Mello and other United Nations personnel killed in the recent attack on the United Nations building in Baghdad, said that humanitarian workers were increasingly targeted and their safety must be treated as a matter of high priority.

9. Refugee law, along with human rights and humanitarian law, was a pillar of the international

regime for the protection of individuals. Brazil attached great importance to the 1951 Refugee Convention and its 1967 Protocol and called upon the countries that had not yet acceded to those instruments to do so. The refugee situation was constantly changing; accordingly, States must redouble their efforts to take steps for the protection of refugees, asylum seekers and other persons of concern from sexual exploitation and abuse. The international community must honour its commitments as regards the protection of refugees, returnees and displaced persons and must seek a durable solution to their problems by providing them with means for the effective exercise of their fundamental rights.

10. His delegation recognized the need to strengthen coordination between UNHCR, which played an essential role in ensuring the integration of refugees in the countries hosting them, and other United Nations agencies concerned with humanitarian matters. It called upon Member States to provide additional financial resources for the integration of refugees in developing countries, resettlement in a third country being sometimes the only durable solution for refugees whose safety could not be guaranteed either in the country of origin or in the first country of asylum.

11. His delegation deplored the negative impact of people trafficking and smuggling, as well as of recurring waves of economic migrants, on the public's perception of the refugee problem. The principle of non-refoulement – which, unfortunately, was not always respected – must be applied. It was very important that developed countries, especially those adopting more restrictive immigration and anti-terrorist measures, should continue to keep their borders open to refugees.

12. The example of Brazil, which was receiving increased numbers of refugees, showed that partnership between the Government and civil society was decisive in meeting the basic needs of refugees and facilitating their access to the job market and to social security and health services.

13. **Ms. Mohamed** (Kenya) reiterated her country's commitment to the international and regional conventions governing the protection of refugees and recalled Kenya's long tradition of providing asylum and protection to refugees. It had to be recognized, however, that in view of its limited resources and the large numbers of refugees it was hosting, her country could not cope with the situation without increased assistance from the international community, which should demonstrate greater solidarity not only by providing more ample financial and resource support but also by seeking to create a global system truly centred upon refugee protection and by engaging in a more comprehensive dialogue with the aim of dealing with contemporary realities. The need to strengthen institutional and management structures for refugees in Africa could not be over-emphasized. UNHCR's efforts and resources in that respect had not been as substantial as its contributions towards the development of refugee legislation.

14. Refugee protection in Africa was affected by three factors: the huge numbers of refugees, insecurity caused by criminality among some refugees (possession of weapons, drugs trafficking), and the response of the national population, which sometimes led to clashes because people believed refugees to be better treated than themselves. The international community's support to countries of asylum should be expanded to include capacity building for effective border management to deter cross-border movement of weapons, illegal migration, criminals and other security-threatening realities. Continued efforts to enhance public awareness of the plight of refugees and the need to assist them were also called for. Partnerships with civil society were more likely to prove effective in that respect than Governments or UNHCR. Her delegation was pleased to note the growth of civil society groups advocating refugee rights and protection.

15. Kenya believed that voluntary repatriation was the most viable and durable solution to the refugee problem in Africa, and with that end in view was making every effort towards a peaceful resolution of the conflicts in Somalia and Sudan. It was delighted that the current peace talks relating to those conflicts were about to bear fruit and wished to thank the international community for its support of the peace process.

16. **Mr. Giorgio** (Eritrea) stressed the difficulties experienced by refugees returning to their place of origin after many years of absence. Successful reintegration in society could only be achieved if such people were provided with basic means of subsistence. The multi-faceted nature of refugee problems called for sustained and coordinated responses. The consensus among Member States and UNHCR on the need for

durable solutions was therefore encouraging, and the High Commissioner's efforts to ensure the sustainability of voluntary repatriation and reintegration programmes were extremely welcome.

17. His Government had developed an integrated recovery programme to address the problems of returnees, displaced persons and expellees with a view to bridging the gap between the emergency and development needs of the affected persons and the host communities. The continued generous support of the international community would be needed in that connection. Furthermore, the voluntary repatriation programme of Eritrean refugees from Sudan had resumed and it was hoped that it would allow for the return of some 25 000 persons by the end of the year. Large numbers of refugees had registered for voluntary repatriation from Sudan and it was hoped that their return would take place in a safe, orderly and dignified manner thanks to cooperation between Eritrea, Sudan and UNHCR, as provided in the tripartite agreement between them. His delegation wished to reiterate its readiness to implement the "ceased circumstances" provision of the cessation clause, declared applicable by UNHCR, with respect to Eritrean refugees.

18. The issue of internally displaced persons was also high on the list of his Government's concerns. While most of the persons affected by the border war of 2000 had been able to resettle within a relatively short time, some 65 000 still remained, most of them housed in makeshift camps. The indefinite postponement of the demarcation of the border between Eritrea and Ethiopia had once again dashed those people's hope of return. Eritrea could not but be greatly concerned by that latest setback arising from Ethiopia's rejection of the Boundary Commission's decision.

19. **Mr. Mekprayoonthong** (Thailand) said that his country had actively participated in the "UNHCR 2004" process and had followed the High Commissioner's reform initiatives with keen interest. Enhanced interconnection of UNHCR within the United Nations system, especially in the areas of peace, security and development, would certainly be of benefit. Other initiatives, such as the convening of regular ministerial meetings with the participation of States other than the parties to 1951 Refugee Convention and its 1967 Protocol, were also highly important. The strengthened partnership between UNCHR and IOM was an effective response to the crime of people trafficking and would, in combination with the political commitments generated by the Bali process, provide a solid base for addressing the migration-asylum nexus. UNHCR's participation in worldwide efforts to address the HIV/AIDS problem was also to be welcomed.

20. The greatest constraint on the effective implementation of UNHCR's mandate was under-funding, which if allowed to continue could jeopardize its work. His delegation called on donors to support UNHCR and host countries in a spirit of international burden-sharing. It welcomed the "Convention Plus" initiative and hoped that it would be of assistance to developing countries.

21. Thailand, which was still hosting large numbers of displaced persons without prospect of durable solution in the near future, required continued support, including that of UNHCR. It regarded the "4 Rs" and the emphasis placed on development as highly important in ensuring sustainable returns and preventing the recurrence of refugee outflows.

22. Certain refugees, abusing the humanitarian approach of the host country and the special status given them by UNHCR, had engaged in political and propaganda activities. His Government counted on UNHCR to ensure that persons receiving assistance were fully aware of their obligations to the host country and that those obligations were fulfilled.

23. Environmental degradation in and around refugee shelter areas was a matter of particular concern to his Government, which hoped that UNHCR would conduct an environmental impact assessment with a view to remedying existing and preventing future damage. In the meantime, Thailand hoped for continued assistance from the international community in rehabilitating the shelter areas.

24. **Mr. Sinaga** (Indonesia) expressed great appreciation of the cooperation between UNHCR and his Government, which had facilitated the repatriation of over 250 000 refugees from East Nusa Tenggara (West Timor) to Timor-Leste. Further efforts were under way to resettle those who had chosen to remain in Indonesia. The prompt settlement of a significant part of the refugee issue within a space of about three years had allowed humanitarian relief efforts to be wound down and reintegration efforts to be stepped up. Indonesia and the new nation of Timor-Leste had thus been able to avoid the potentially destabilizing political

and social problems that had often accompanied long-standing refugee situations in other parts of the world.

25. Although the crisis phase was now over, assistance from UNHCR and the international community was still needed in East Nusa Tenggara province for the integration of refugees into society and for the transition to development.

26. Since 2000, UNSECOORD's placing of East Nusa Tenggara in security category P-5 had prevented United Nations bodies and agencies, including UNHCR, from operating in that region. The situation in the province having returned to normal more than two years ago, Indonesia regretted the continuing application of that measure and urged the Secretary-General to review the situation, so that the people of East Nusa Tenggara might receive the assistance they so sorely needed.

27. His Government reaffirmed its support for UNHCR's mandate of providing protection and assistance to refugees and finding durable solutions to their problems. It also endorsed the High Commissioner's important initiatives, including the "4 Rs" approach and cooperative arrangements with other relevant international bodies.

28. It should be recalled, however, that UNHCR was a purely humanitarian and non-political agency and that, as stated in General Assembly resolution 46/182, "humanitarian assistance must be provided in accordance with the principles of humanity, neutrality and impartiality". Moreover, humanitarian assistance should be delivered with the consent of the affected country and in full respect of the sovereignty, territorial integrity and national unity of States. The affected State should play the primary role in coordinating humanitarian relief efforts, while the role of UNHCR consisted in providing support at that State's request.

29. The success story of the resolution of the refugee problem in East Nusa Tenggara was an example of effective cooperation between a host country and international agencies, especially UNHCR. His Government therefore viewed the financial difficulties of UNHCR with great concern and hoped that an effective and durable solution would be found to that situation, without, however, causing resources to be diverted from other goals, such as sustainable development.

30. **Mr. Leal Cordeiro** (Angola) said that his delegation associated itself with the statement made by the representative of the Democratic Republic of the Congo on behalf of the Southern African Development Community (SADC).

31. His delegation shared the High Commissioner's view that the time limitation on the UNHCR mandate was anachronistic and no longer reflected today's realities. It therefore fully supported the removal of that limitation, not only because Angola benefited from the work of UNHCR but also because it recognized that the problem of refugees was not about to disappear.

32. It applauded the intensified efforts being undertaken by UNHCR through programmes such as "4Rs", DAR and DLI and welcomed the High Commissioner's initiative aimed at improving cooperation with other humanitarian agencies. Such programmes and initiatives could not fail to contribute towards improving the lot of refugees the world over.

33. Owing to the large number of returnees, Angola was in need of human resources as well as of technical and financial assistance. The recently ended civil conflict had produced 4 million displaced persons and 400 000 refugees living in neighbouring countries. So far, more than 150 000 refugees had returned and the repatriation of 170 000 others from Namibia, the Democratic Republic of the Congo and Zambia was in progress. Recent evaluations showed that the humanitarian situation was stabilizing, but some emergency needs still persisted in various parts of the country.

34. Resettlement and reintegration of internally displaced persons, return of refugees and reduction of dependency on humanitarian assistance remained the key priorities of his Government's poverty eradication programme. Some USD 138 million had already been allocated to resettlement and to the distribution of domestic and agricultural utensils and foodstuffs. At the third ordinary session of the World Food Programme's Governing Board, Angola had also subscribed USD 7.5 million to the new food aid programme designed to provide food for the nearly ¼ million internally displaced persons and 170 000 refugees expected to return home in 2004.

35. The needs for rehabilitation and resettlement were still enormous and national resources alone could not suffice to deal with the challenges facing a country

still recovering from decades of civil war. Yet despite the Government's efforts, in particular in the fields of health and education where budget allocations had steadily increased since the end of the war, the international community was still slow to respond to Angola's humanitarian and development needs.

36. His delegation therefore called upon the international community to increase not only its financial and logistical support of ongoing programmes in Angola but also its contribution to the annual budget of UNHCR, thus enhancing the capacity of UNHCR to tackle refugee crises around the world.

37. **Mrs. Mariam** (Ethiopia), after paying tribute to the humanitarian personnel who had lost their lives while trying to save the lives of others, said that while some encouraging results had been achieved in efforts to address refugee problems in Africa, the overall situation continued to give grounds for grave concern. As a result of armed conflicts as well as of humanitarian and socio-economic problems, Africa was today home to 32% of the world's refugee population, a situation that was overburdening the continent's already weak economy, environment and infrastructures and undermining such progress as had been made.

38. African countries, which were primarily responsible for assistance and protection of refugees, lacked the necessary resources and needed support, which should be provided in a manner compatible with the avoidance of double standards. Her Government welcomed UNHCR's efforts to work with regional bodies and NEPAD and commended the steps taken to facilitate linkages between humanitarian and development issues in the light of the Millennium Development Goals and of the HIV/AIDS problem.

39. As a result of conflicts and natural disasters in the Horn of Africa, her country was now host to 130 000 refugees as well as having more than 200 000 internally displaced persons, a situation that took a heavy toll of the country's meagre resources. In its search for durable solutions, her Government was successfully promoting voluntary repatriation to relatively safe places of origin. The support of UNHCR and the international community was needed in that connection.

40. Her delegation shared the High Commissioner's views on strengthening his Office in order to improve its capacity to respond to new challenges, and welcomed the adoption of the Agenda for Protection aimed at reinforcing the international protection regime. It also supported the initiative based on the "4 Rs" approach, believing that it could produce durable solutions, especially in protracted refugee situations.

41. If UNHCR was to continue being relevant to the current world situation and to live up to its lofty goals, in particular in the service of African refugees, its funding situation had to be improved and sustained on a regular basis.

42. **Mr. Prica** (Bosnia and Herzegovina) expressed his country's gratitude for the assistance provided by UNHCR and drew attention to the leading role assigned to UNHCR in Annex VII of the Dayton/Paris Peace Agreement dealing, in particular, with questions of return of refugees and internally displaced persons.

43. Of the 2.2 million refugees and IDPs generated by the conflict in Bosnia and Herzegovina, 960 000 returns had already been registered. Since many returnees were as yet unable to return to their pre-war homes, their status had had to be changed from refugees to IDPs. Despite all efforts on the part of his Government, UNHCR and the international community, that was still true of more than half of the total number of persons affected.

44. However, the authorities had succeeded in removing almost all political obstacles to the return process and in improving security conditions, thus facilitating some 420 000 so-called "minority returns" to all parts of the country. Efficient and unconditional application of property laws had been the main generator of the return process. So far, 84% of the decisions of the Commission for Real Property Claims had been implemented and some 190 000 properties returned to their owners. The process was, however, slowed down by the presence in Bosnia and Herzegovina of refugees from Serbia and Montenegro and of Serbs from Croatia. A regional approach based on cooperation among all the countries concerned was therefore essential for the successful implementation of Annex VII of the Dayton/Paris Peace Agreement.

45. Implementation of Annex VII continued to be one of the priorities of the authorities in his country. Most political obstacles having been removed, it was now essential to eliminate other impediments such as the shortage of funds for the reconstruction of destroyed housing and job creation. The Ministry for Human Rights and Refugees had set up a joint return fund at

State level operated on a parity basis between donors and the Council of Ministers of Bosnia and Herzegovina. The State Commission managed the fund for refugees and internally displaced persons, ensuring transparency and efficient coordination among the international donors and organizations concerned. Those activities, aimed both at promoting return and at strengthening national capacities, would eventually enable the State institutions to take over the responsibilities at present assumed by UNHCR and the international community. His delegation therefore reiterated its appeal for continued generous support of the return process.

46. Reinforcement of the rule of law, economic growth and the protection of the human rights and fundamental freedoms of all citizens of Bosnia and Herzegovina, particularly vulnerable groups such as refugees and IDPs, were the essential precondition for the effective implementation of Annex VII of the Peace Agreement. Thanks to regional and international cooperation and the international community's assistance, his country would meet its commitments under the Peace Agreement in that regard.

47. In conclusion, his delegation hoped that the lessons drawn by UNHCR and the international community from the tragic experiences in Bosnia and Herzegovina would lead to more effective management of future crises and would help to find appropriate methods and means of crisis prevention.

48. **Mr. Khokhar** (Pakistan) said that despite some encouraging developments, the total number of uprooted people had risen in the past year. Major transformations in international politics, globalization and the revolution in information technology necessitated a reform of UNHCR's management and governance. Stronger efforts had to be made to provide more generous resources for emergency preparedness. Enhanced cooperation with development actors would facilitate repatriation and rehabilitation. In that context, his delegation welcomed UNHCR's joining the United Nations Development Group and favoured an incremental increase of UNHCR's share of the United Nations regular budget in line with its status.

49. The recommendations contained in the report on strengthening the capacity of the Office of the United Nations High Commissioner for Refugees to carry out its mandate (A/58/410) were well-considered and, for the most part, acceptable, although some of them called for further reflection.

50. While taking note of the DAR initiative and endorsing the "4 Rs" concept outlined in the report contained in document A/58/12, his delegation had strong reservations regarding the idea of Development through Local Integration (DLI). DLI was not an option in protracted situations involving large numbers of refugees who had the potential to upset a country's socio-economic and ethnic balance. In such cases, voluntary repatriation to the country of origin was the only viable and durable solution. On the other hand, DLI was a possible choice for developing countries with large economies and growing manpower needs.

51. While appreciating the efforts of UNHCR in addressing the refugee situation, his delegation felt that the magnitude of the problem went beyond that institution's capacities and mandate. The international community must grapple with the underlying causes of conflicts and pay more attention to conflict prevention and peace building. Greater international solidarity and respect for collective United Nations decisions were also called for.

52. In according hospitality to three million Afghan refugees – the largest exodus of refugees caused by a conflict situation since the Second World War – Pakistan had, besides direct financial costs, suffered a devastating adverse impact on its demography, social structure, economy, employment, environment and natural resources.

53. Since the establishment of the Transitional Government in Afghanistan, more than 1.5 million refugees had voluntarily repatriated, leaving another 2 million still in Pakistan. In March 2003, Pakistan, Afghanistan and UNHCR had signed a tripartite agreement based on the voluntary repatriation principle. However, improved security, employment opportunities and food security were essential in persuading Afghan refugees to return home. Besides committing 100 million dollars towards reconstruction assistance, Pakistan had also undertaken to provide 5 million books for Afghan schools. It was to be hoped that the pledges made at the Tokyo reconstruction conference would be delivered on schedule. Peace, stability and economic rehabilitation in Afghanistan were the collective responsibility of the international community, which must not falter in its sustained engagement in that country. His delegation also urged

the international community to continue its support of UNHCR, thus enabling it to carry out its mandated activities.

54. **Mr. Hyassat** (Jordan) welcomed the increasing number of return movements noted in document A/58/12. Despite the benefits offered by Development Assistance for Refugees (DAR), repatriation remained the preferred solution to the refugee problem.

55. His delegation hoped that growing cooperation between UNHCR and other agencies dealing with refugees would encourage States to set up regional and international mechanisms designed to facilitate more effective and speedy solutions, in particular early warning systems and information sharing, leading to better emergency preparedness and equitable distribution of burdens and responsibilities.

56. His delegation had taken note with great interest of the High Commissioner's report on strengthening the capacity of UNHCR to carry out its mandate (A/58/410) and welcomed the proposal to remove the time limitation on that mandate.

57. **Ms. Kusorgbor** (Ghana) said that, in the light of the magnitude of problems caused by massive outflows of refugees and displaced persons, her delegation fully supported the initiatives aimed at strengthening UNHCR and modifying its strategies so as to meet the new challenges not foreseen in the 1951 Convention or the 1967 Protocol. Her delegation endorsed the "Convention Plus" initiative resulting from the "UNHCR 2004" process and the Global Consultations on International Protection, and welcomed the development of a framework for the implementation of durable solutions and its focus on post-conflict and protracted refugee situations. While voluntary repatriation continued to be her Government's foremost option, resettlement and local integration could also be considered in cases where they were feasible and fully supported by the host country. Her delegation welcomed the "4 Rs" programme, essential in preventing the recurrence of conflicts, and the promotion of Development Assistance for Refugees (DAR) and Development through Local Integration (DLI).

58. However, the critical financial situation of UNHCR cast doubt on the feasibility of those strategies. As would be seen from paragraph 63 of the High Commissioner's report (A/58/12), almost halfway through 2002 UNHCR had available only half the financial resources needed for its activities in 2003. Her delegation therefore supported the High Commissioner's call for a gradual increase in UNHCR's share of the United Nations regular budget and hoped that his efforts to explore new avenues and identify new non-governmental funding sources would yield positive results.

59. In order to take full account of security, human rights and development concerns, closer partnership between UNHCR and the Departments of Political Affairs and Peacekeeping Operations, the Office for the Coordination of Humanitarian Affairs and the United Nations Development Group was of the essence.

60. Her delegation, concerned about the erosion of the internationally accepted principles of asylum and non-refoulement, called on all States to abide by their commitments in that field. It was also concerned about the kidnapping and killing of humanitarian workers, and hoped for progress in the ongoing discussions on the elaboration of an ancillary legal instrument to enhance the 1994 United Nations Convention on the Safety and Security of United Nations and Associated Personnel.

61. It welcomed the adoption of an age and gender sensitive approach by UNHCR, supported the mechanisms being put in place to prevent the recurrence of incidents of exploitation of refugees like those reported in West Africa, Nepal and elsewhere in 2002, and called on UNHCR to ensure strict adherence to the United Nations Code of Conduct by its staff and partners.

62. **Mr. Guterres** (Timor-Leste) said that the positive results reported by the High Commissioner in document A/58/12 clearly demonstrated the importance of development assistance for refugees and the need to apply that innovative approach at both the multilateral and the bilateral level. His delegation also awaited with interest the results of the "Convention Plus" initiative.

63. The refugee problem being of direct interest to his country, Parliament was treating the ratification of the 1951 Refugee Convention and its 1967 Protocol, as well as accession to the Geneva Conventions of 1949, as a priority issue.

64. Thanks to the combined efforts of UNHCR, various agencies and the Indonesian Government, nearly 90% of Timor-Leste's 230 000 refugees had now

returned. The next challenge facing his country was to ensure their full reintegration and resettlement.

65. His country was determined to pursue its cooperation with UNHCR and the Indonesian Government in seeking solutions to the serious problem of children unaccompanied by or separated from their families.

66. At the second meeting of the Joint Ministerial Commission held in Dili in September 2003, the two Governments had agreed to encourage the resettlement of refugees currently in West Timor in places proposed by the Indonesian Government and the return to Timor-Leste of those wishing to avail themselves of that solution. The process of national reconciliation would probably not be completed until all measures aimed at applying the DLI approach were taken under the control of UNHCR and IOM. With the help of UNHCR, United Nations agencies and the international community as a whole, Timor-Leste hoped to be able to apply the DAR approach, which was vital to ensuring national reconciliation and providing a firm basis for democracy.

67. His country also had to enact national asylum legislation and set up institutions to deal with asylum seekers in conformity with internationally accepted standards. It looked forward to continuing to benefit from the technical assistance and experience provided thus far by UNHCR and the human rights unit of the United Nations Mission of Support to East Timor.

68. Noting with deep concern the increasing security risks faced by humanitarian personnel on the ground, he remarked that, while the Convention on the Safety and Security of United Nations and Associated Personnel constituted the international legal framework for the prevention and punishment of criminal attacks against field staff, the need to expand the scope of legal protection offered by that Convention was today generally recognized. Draft resolution A/C.6/58/L.22 adopted by consensus in the Sixth Committee on 4 October was therefore to be welcomed.

69. **Mr. Dhakal** (Nepal), after expressing appreciation of the innovative ideas launched under the rubrics of "UNHCR 2004", "Global Consultations" and "Convention Plus" and paying tribute to the work being done by the High Commissioner, recalled that a large proportion of the 20 million refugees now in the world were victims of protracted situations in the Middle East, sub-Saharan Africa, Asia and elsewhere. Bhutanese refugees in Nepal constituted one of those situations. To resolve such problems should be an urgent priority for the international community. Taking good care of refugees was not enough to make life bearable for people deprived of property, employment and hope, whose children were suffering the traumatic experience of growing up without an identity. Many refugees had suffered persecution, forced evictions, armed conflicts, natural calamities, ethnic cleansing and gross violations of human rights and fundamental freedoms. In order to find lasting solutions to those problems, UNHCR must seek to determine their root causes.

70. The report in document A/58/410 contained a number of valuable suggestions that deserved careful consideration by the General Assembly. Thus, his delegation supported the removal of the time limitation on UNHCR's mandate and the "4 Rs" approach, as well as closer partnerships between UNHCR and other institutions, in particular the World Bank, UNDP, UNICEF and WFP.

71. On the other hand, the proposal on Development through Local Integration (DLI) needed to be carefully examined. While refugees could indeed be agents of development, local integration had serious political, social and economic implications for the society concerned and should be considered on case-by-case basis. While it could be an acceptable solution where the local population was not large enough to sustain and expand the country's economic activities and where the host country had the political capacity to absorb refugees, it was a recipe for disaster in the vast majority of poor nations with pervasive poverty problems and very high population density. Moreover, such a solution was likely to encourage human rights violators who deliberately uprooted people in order to pursue their criminal activities, which often remained unpunished.

72. Similarly, Development Assistance to Refugees (DAL), supposed to promote the developing countries' development agenda and to facilitate self-reliance, was in fact an explosive idea with disastrous long-term economic, social and environmental consequences for nations that were already poor. His delegation therefore urged the High Commissioner to give those issues more thought. Concerned by the funding constraints and declining resources for humanitarian assistance worldwide, Nepal agreed that there was a need to increase the volume of contributions and to expand the

donor base, noting that some 80 % of UNHCR's funds came from only 8 donors.

73. In document A/58/12, the High Commissioner mentioned the 100 000 Bhutanese refugees living for more than 10 years in camps in Nepal. His country, itself one of the world's least developed, was providing asylum to those refugees for purely humanitarian reasons although it was not the first country of asylum and its capacity was insufficient for the purpose. It had always been eager to find a durable solution to the problem in good faith and through bilateral negotiations. At the 15th joint ministerial meeting held in Bhutan the two countries had agreed to ensure early voluntary repatriation of refugees in the Khudunabari camp and to embark on joint verification in another camp. It was now for Bhutan to create a favourable environment for the refugees' return in safety and dignity, thus contributing towards peace, stability and development in the region.

74. **Mr. Schurti** (Liechtenstein) recalled that the majority of host countries, receiving some two-thirds of the world's refugees, were developing countries, while 12 countries accounted for 90 per cent of UNHCR's annual budget. Since no end to the refugee problem was yet in sight, it was unlikely that the international community would be able to correct those fundamental imbalances. It would therefore be well advised to follow the essentially pragmatic path advocated by UNHCR.

75. With regard to the functioning of UNHCR, his delegation welcomed the proposed reform measures, in particular the removal of the time limitation on the UNHCR mandate with a view to more long-term and strategic planning and to the development of long-term protection policies; efforts to broaden and diversify the donor base, as well as the new approaches towards increasing the predictability of funding and diversification of funding sources, including through the private sector; additional increases in funding from the United Nations regular budget; and the proposal to streamline the reporting requirements.

76. With regard to durable solutions, Liechtenstein applauded the High Commissioner's proposed Framework based on the "4 Rs", DAR and DLI initiatives, the last of which had attracted its particular attention. His country had had a generally positive experience with a programme that sought to find employment for refugees and asylum seekers virtually from the day of arrival. The policy not only reduced the cost of hosting the refugees but also greatly enhanced the possibilities of repatriation by facilitating self-reliance, helping refugees to learn a new trade and thus enabling them to start a new life in the country of origin. In conclusion, he expressed deep concern at the increasing danger that humanitarian personnel were facing in the field. Security needed to be strengthened and the safety of all personnel safeguarded more vigorously. His delegation hoped that the improved practical and operational measures taken by the Secretariat would go hand in hand with a strengthening of the current legal regime as a result of action taken by the competent intergovernmental bodies.

77. **Mr. Vaher** (United Nations Children's Fund) said that UNICEF and UNHCR had worked together very closely for many years at both country and global levels. By way of example, he cited the Memorandum of Understanding, the recently completed Guidelines on Unaccompanied and Separated Children, and the efforts conducted jointly with UNHCR and national authorities in Eritrea to provide safe water for some 33 000 returnees from Sudan. The past year had also seen a positive development in UNICEF's approach to the problem of displaced children. Instead of children being classified in sub-categories such as "refugee children", "IDP" children", etc., displacement was henceforth to be addressed in terms of its impact on all children.

78. Focusing on three points of special relevance to children affected by displacement – the importance of adopting a rights-based approach to humanitarian action, the role of education, and the need for birth registration - he said, with respect to the first, that UNICEF had already adopted such an approach, taking into account all aspects of children's well-being. Protection had to go hand in hand with assistance. As an example, he referred to the child-friendly spaces established in Albania, Angola, Guinea and Liberia, where displaced children and their care-givers were provided with essential assistance in a safe setting.

79. Turning to the second point, he said that education not only restored stability and security to the lives of children uprooted and traumatised by armed conflicts but also helped to re-establish a normal routine in communities threatened by violence and war. It was also a means of telling war-affected children about health and safety, landmines, HIV/AIDS, gender equality, human rights and life skills. For all those

reasons, it was essential to restore education as soon as possible during emergencies to prevent the collapse of social norms and services. In Cote d'Ivoire, UNICEF was supporting the second school year organized for displaced children in the southern part of the country, in particular by providing school supplies and recreational kits for some 30 000 children. In Congo, UNICEF and its partners had provided education kits to 10 000 displaced children so as to enable them to return to primary and secondary schools close to their temporary settlements.

80. One of the obstacles to displaced children's access to education and other social services was lack of identity papers and, in particular, of a recognized birth certificate. Although the Convention on the Rights of the Child called for registration of all children immediately after birth, it was estimated that one-third of all births went unregistered. Yet a birth certificate offered many advantages in crisis situations, including legal protection, access to various services, and protection from harmful child labour, trafficking and recruitment in armed forces and groups. It also protected a separated child from losing its identity and being given a new name, which made efforts at family tracing and reunification much more difficult. National authorities were responsible for creating legal and administrative frameworks for the prompt registration of children, including those born in refugee camps, as well as for replacing children's documents destroyed or misplaced during transit. Afghanistan was an outstanding example of what a committed Government could achieve in that area. The Transitional Government had succeeded in registering the births of 775 000 children under the age of one as part of a drive to register all children in that age group by the end of 2003. The campaign coincided with Afghanistan's National Polio Immunization Days held throughout the year. Since May 2003, vaccination teams had registered 97% of all children in the target age group.

81. In conclusion, he stressed the need for long-term solutions beyond the scope of efforts by UNHCR, UNICEF and their partners to assist and protect displaced children on a daily basis. Governments alone had the power and authority to create a world truly fit for children.

82. **Mr. Nsemi** (Congo), noting that the situation of millions of refugees and displaced persons still remained unresolved, welcomed the efforts of UNHCR to find durable solutions, in particular through the "4 Rs" approach, which accentuated the transition from humanitarian to development assistance in post-conflict situations such as that existing in his own country, and the Development through Local Integration initiative. His delegation also welcomed the "Convention Plus" initiative aimed at strengthening the international protection regime and supported the recommendation for the removal of the time limitation on the UNHCR mandate.

83. The estimated number of refugees and displaced persons in the Central African sub-region in early 2003 was 1 300 000, the number of refugees in Congo, especially from the Democratic Republic of the Congo but also from Rwanda, Burundi and the Central African Republic, being 119 000 on the same date. In compliance with its obligations under the international instruments to which it was a party, Congo had risen to the challenge despite the socio-economic difficulties it involved and was helping those refugees through its national committee for assistance to refugees and in cooperation with various humanitarian agencies and UNHCR, with which it had in February 2003 signed a partnership agreement under which the High Commissioner was to help the Congo in its protection and assistance efforts. It had also concluded two tripartite agreements, one with UNHCR and Gabon that had facilitated the repatriation of a little under 2 000 refugees and the other, in June 2003, with UNHCR and Rwanda with a view to the voluntary repatriation of Rwandan refugees who had been in Congo since 1997. His delegation wished to thank all its partners and especially UNHCR, which was continuing to seek a solution to the situation of displaced persons in his country.

84. His Government supported all initiatives aimed at promoting peace and reconciliation in the Central African sub-region, as witness the personal participation of the Head of State in various national reconciliation processes. It welcomed the creation of a Government of national unity in the Democratic Republic of the Congo, the agreements recently concluded in Burundi and the successful completion of the national reconciliation process in the Central African Republic in the hope that those advances would contribute towards finding a durable solution to the problem of refugees and displaced persons.

85. **Mr. Husain** (Observer, Organization of the Islamic Conference) said that the reports in documents A/58/353 and A/58/12 were of particular interest to his

organization, many of whose members came from the African continent. OIC shared the Secretary General's conclusion contained in paragraph 67 of his report (A/58/353) and was concerned to read in paragraph 1 of the report that three of the seven African countries from which the largest African refugee flows had originated were the OIC member States Sudan, Somalia and Sierra Leone. Moreover, as stated in paragraphs 3-34, numerous conflicts had resulted in refugee flows involving 15 African States, seven of which were OIC members. Such situations required a multi-dimensional approach, and OIC stood ready to play a supportive and, where necessary, a proactive role in fostering conflict resolution and the establishment of durable peace in Africa and elsewhere.

86. The thirtieth session of the Islamic Conference of Foreign Ministers held in Tehran in May 2003 had adopted a number of measures (resolution No. 16/30-P on the problem of refugees in the Islamic world) which corresponded to the six goals identified by UNHCR in the Agenda for Protection detailed by the High Commissioner in paragraph 13 of document A/58/12. In particular, it had reiterated the need for full cooperation by OIC member States in assisting the refugees in their plight and had called upon member States to prevent conflicts likely to trigger a refugee exodus. It had invited member States to fulfil their responsibilities in respect not only of refugees but also of returnees and displaced persons, coordinating their actions at international level with a view to preventing the main causes behind such exoduses and to strive, in cooperation with UNHCR, to enable refugees to return to their homes as soon as the situation permitted. The latest annual coordination meeting of Foreign Ministers of OIC Member States, held in New York in September 2003, had appealed to member States to secure financial resources through the Islamic Development Bank and the Islamic Solidarity Fund for the purpose of meeting the needs of refugees.

87. In conclusion, he drew attention to the plight of the Palestinian people and of the Muslim population of Jammu and Kashmir, victims of vicious conflicts that had for many years forced hundreds of thousands of persons to seek temporary refuge. They looked to the international community to come to their rescue. He reiterated the repeatedly declared readiness of OIC to support United Nations efforts in that direction.

The meeting rose at 12.30 p.m.